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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,713	11/27/2001	Philippe Benezech	BET01/0965	8355
466	7590	11/17/2005	EXAMINER	
YOUNG & THOMPSON 745 SOUTH 23RD STREET 2ND FLOOR ARLINGTON, VA 22202			NGUYEN, TU X	
			ART UNIT	PAPER NUMBER
			2684	

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/993,713	BENEZECH ET AL.	
	Examiner	Art Unit	
	Tu X Nguyen	2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
2. Applicant's arguments, filed 9/7/05, with respect to the rejection(s) of claim(s) 1 and 9-10, under 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Reber et al. (US Patent 5,969,606).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 3-10, are rejected under 35 U.S.C. 103(b) as being unpatentable over Reber et al. (US Patent 5,969,606) in view of Kobayashi et al. (6,367,266).

Regarding claims 1 and 10, Reber et al. disclose an assembly comprising:

a work cabinet (24) having walls whose inside surfaces delimit a work space that is adapted to receive an object (20) to be subjected to a chemical or physical condition (see col.2 lines 50-60); and

a communication system that includes a first communication device (see fig.6), a radio frequency antenna connected to said first communication device (86,88 fig.6), and a second communication device that is to be associated with the object in said work space (30, fig.5),

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said first communication device communicating with said second communication device via said antenna,

wherein at least a part of one of said walls of said work cabinet is transparent to a radio frequency used by said antenna (see col.3 lines 19-20, "refrigerator, a cupboard, a pantry, a room" reads on "transparent to a radio frequency").

Reber et al. fail to disclose a first communication device outside said work space and said antenna being separated from said work space by said at least part of one of said walls.

Kobayqashi et al. disclose a first communication device outside said work space and said antenna being separated from said work space by said at least part of one of said walls (see 13, fig.1). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Reber et al. with the above teaching of Kobayqashi et al. in order to provide the thermal conductivity of the radio transmission path is generally smaller than that of a conductor, so that heat flowing in and out between the outside and the inner chamber is suppressed as suggested by Kobayqashi et al. (see col.2 line 65 through col.3 line 3).

Regarding claim 3, the modified Reber et al. disclose said at least a part on one of said walls is an entire thickness of said one of said walls and wherein said antenna is outside said one of said walls (see Kobayashi et al., 13, fig.1).

Regarding claim 4, the modified Reber et al. said antenna is carried by said one of said walls (see Reber et al., fig.1).

Regarding claim 5, Reber et al. one of said walls is movable between an open position that provides access to said work space and a closed position that bars access to said work space (see Reber et al., col.3 line 14-20).

Regarding claim 6, the modified Reber et al. disclose work cabinet comprises an inside door and an outside door, and wherein said inside door is said one of said walls (see Reber et al., col.3 lines 17-18, "refrigerator" includes inside and outside door).

Regarding claim 7, Reber et al. disclose at least a part of one of said walls comprises a partition and a layer of thermally insulating material (see Reber et al., col.3 lines 17-18, "refrigerator" reads on "thermally insulating").

Regarding claim 8, Reber et al. disclose said second communication device is an identification transponder (see Reber et al., col.5 line 49 through col.6 line 28).

Regarding claim 9, Reber et al. disclose an assembly comprising:

a work cabinet (see col.2 lines 14-20) that is thermostatically controlled and that has walls whose inside surfaces delimit a work space that is adapted to receive an object (see col.2 lines 42-60); and

a communication system that includes a first communication device outside said work space (see fig.6), a radio frequency antenna connected to said first communication device (86,88 fig.6), and a second communication device that is to be associated with the object in said work space (30, fig.5), said first communication device communicating with said second communication device via said antenna,

wherein at least a part of one of said walls of said work cabinet is transparent to a radio frequency used by said antenna (see col.3 lines 19-20, "refrigerator, a cupboard, a pantry, a room" reads on "transparent to a radio frequency").

Reber et al. fail to disclose a first communication device outside said work space and said antenna being separated from said work space by said at least part of one of said walls.

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Kobayqashi et al. disclose a first communication device outside said work space and said antenna being separated from said work space by said at least part of one of said walls (see 13, fig.1). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Reber et al. with the above teaching of Kobayqashi et al. in order to provide the thermal conductivity of the radio transmission path is generally smaller than that of a conductor, so that heat flowing in and out between the outside and the inner chamber is suppressed as suggested by Kobayqashi et al. (see col.2 line 65 through col.3 line 3).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Reber et al. in view of Kobayashi et al. and further in view of Mosebrook et al. (US Patent 5,736,965).

Regarding claim 2, the modified Reber et al. fail to disclose said antenna is in said one of said walls.

Mosebrook et al. disclose antenna is in said one of the walls. (see col.2 lines 59-60). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Reber et al. with the above teaching of Mosebrook et al. in order to hide the antenna from the view.

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Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed Tu Nguyen whose telephone number is 571-272-7883. The examiner can normally be reached on Monday through Friday from 8:30AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MAUNG NAY A, can be reached at (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

TN

November 9, 2005

EDAN ORGAD
PATENT EXAMINER/TELECOMM.

E.O. 11/14/05